

Official Minutes for Webb County Commissioners Court Meeting

Monday, September 12, 2005 at 1:00 PM
and continuing Tuesday, September 13, 2005 at 1:00 PM
(Approved 10-24-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 9th of September 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by All

- Item No. 4 Approval of minutes – July 25, 2005

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented his monthly report to the Court. He stated that the Health Insurance Fund was under-funded by approximately \$2.5 million. He stated that one way to lower that figure in the upcoming fiscal year would be to increase the employee insurance contribution. He stated that the jail was currently working over its budget and that this was mainly due to the number of federal inmates expected but not received. Cmr. Gutierrez expressed concerns about the number of inmates being housed at Frio County. Mr. Flores stated that sales tax revenues for August exceeded the collections for last August by \$110,000. He stated that the year to date revenues exceeded the year to date expenditures and that as

long as this continued, the county would save approximately \$500,000 for every 1% of revenues over expenditures.

Cmr. Gutierrez motioned to accept the County Auditor's Report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Judge Bruni requested a moment of silence in memory of Chief Justice William H. Rehnquist who passed away September 3rd. He also requested a moment of silence in memory of the 9/11 victims, Hurricane Katrina victims and Charles Alexander, Jr.

A moment of silence was observed.

Cmr. Sciaraffa thanked the community for their support at the 1st Annual Scholarship Dance held this past weekend. He stated that they surpassed their goal and are looking forward to disbursing the funds to the youth of South Laredo.

Cmr. Gutierrez congratulated Cmr. Sciaraffa for his efforts to assist the youth of South Laredo. She stated that Mrs. Amada Sanchez Cardenas, longtime Mirando City resident, passed away this past weekend, one month short of her 101st birthday. She stated that Mrs. Cardenas was the oldest Mirando City resident and an important member of the community. She stated that Mrs. Cardenas was remembered this past weekend with a very impressive Native American church ceremony. She also stated that she has a professional working relationship with the company involved with Item No. 10 and will not participate in any discussions or decisions.

Cmr. Cortez-Brunner congratulated eight members of the Penitas West community for completing their emergency response training. She stated that they gave up several Saturdays to be able to complete the course.

Item No. 7 Public Comment

Mr. Anthony Peterson was present to address Item No. 8 and No. 10. He stated that the court does what is best for the constituents of Webb County. He stated that C.Y. Benavides, County Judge candidate, was running a campaign based on a policy of greed and corruption.

Judge Bruni advised Mr. Peterson that this was not the proper forum to discuss this political issue and that this was not appropriate discussion.

Mr. Peterson stated that Mr. Benavides did not allow him to address the court at the previous meeting unless he cleared it with him first. He stated that while at Mr. Benavides' campaign headquarters, he fell and hurt himself but that Mr. Benavides has refused to help him with his injuries.

Mr. Nathan Bratton, Assistant County Attorney, stated that this discussion was going way off topic and was not regarding an item placed on the agenda.

Dr. Hector Farias was present to address Item No. 8. He stated that he was here on behalf of the veterans of Webb County to state that they were here against Item No. 8. He stated that Mr. Hector Garza had signed up for Public Comments but would be allotting him his three minutes. He stated that this item was very irresponsible and that the Sheriff's incomppliance was of his own doing. He stated that there were enough jailer/guard slots until Rick Flores moved them to create administrative duties. He stated that he wanted the Sheriff to do the responsible thing and look over his budget to find the appropriate monies for this issue. He stated that he regretted supporting Rick Flores' bid for Sheriff and stated that if these monies are approved, the court will be taking the monies away from more deserving agencies such as the Laredo Veterans Coalition and the Laredo Animal Protective Society.

Mr. Jesus Sanchez was present to address Item No. 16. He thanked Judge Bruni for placing this item on the agenda and stated that he wanted to know why the project was moving so slowly. He stated that he wanted the issue to be addressed by those responsible for working on this project. He stated that there are new developments getting water before they are. He stated that in some colonias, only 3% of the ROWs are missing.

Ms. Estella Quintanilla was present to address Item No. 22. She stated that she is a member of the LULAC Council District 14 and requested that the court support Item No. 22. She stated that she has heard and read about the Minutemen Project and does not want anybodies civil or personal liberties harmed.

Mr. Orlando Lerma, Jr. was present to address Item No. 27. He stated that that he was not here in support or against anyone but only wanted to make sure that the best selection was made. He stated that this position is needed to help the residents of Webb County.

Mr. Juan Jose Gamboa was present to address Item No. 27. He thanked the court for the opportunity to address the court. He remembered that at previous meetings, the court stated that the decision made would be in the best interest of Webb County. He thanked the court for being aware of the County's needs and asked that their decision be based on the best interest of Webb County and not on personal agendas.

Mr. Javier Montemayor, Jr, delinquent tax attorney, was present to address Item No. 28. He requested that his comments be taken at the same time that the item is discussed. He stated that his minutes and those of his partners would be given to one speaker.

Mr. Montemayor was advised that the comments would be taken during Public Comments and not when the item was discussed.

Ms. Ana Laura Cavazos, delinquent tax attorney, was present to address Item No. 28. She stated that she was concerned when she read this item since they do not have a dispute with Webb County. She stated that they have a disagreement with the County Auditor regarding payment for work performed. She stated that requests for payments submitted by her firm were unilaterally cut by the County Auditor without any prior notice or explanation. She stated that the County Auditor decided

that he would determine what would be paid without any instruction by the Court or Board of Judges. She stated that they have tried to meet with the County Auditor and County Attorney but these meetings have not been held or are cancelled at the last minute for no reason. She stated that she did not feel that this merited the court hiring an outside counsel and spending taxpayers' monies. She stated that the last payment to her firm was made in May and since then, the County Attorney determined that they were overpaid \$60,000 in the first nine months of their contract but the invoices submitted total over \$110,000. She requested that the item be deferred so that the parties involved can meet and report back to the court.

Ms. Maria Elena Morales was present to address Item No. 28. She stated that another concern that they had was the suspension of payments. She stated that the County Auditor has no statutory backing or court authority to hold payments. She stated that the County Attorney has advised the County Auditor to release the payments.

Mr. Javier Montemayor, Jr. stated that the firm has worked hard for Webb County and has excelled in its delinquent tax collection.

Comr. Gutierrez motioned to move up Item No. 12, No. 8, No. 29, No. 30, No. 31, No. 32, No. 53 and No. 54. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12 Presentation by Laredo Food Bank on assistance they are providing to Webb County Colonias.

Mr. Richard Noriega was present to address Item No. 12. He stated that the Laredo Food Bank is a member of the second largest food bank in America. He stated that as of Saturday at noon, they received 550 truckloads of food, distributed 18.1 million pounds of food, prepared 14.1 million meals, and received 12.2 cash pledges. He stated that locally, six truckloads have been shipped out to help those displaced by the recent hurricane. He stated that 42.6% of children in Webb County live in poverty and that 2,010 colonia families have been helped and 789,393 pounds of food disbursed since 1999. He stated that 1/3 of the population lives in poverty and the need for help is there.

Mr. Castillo stated that they were here to serve the community. He stated that there are several programs besides food distribution and are working on establishing others. He stated that they are working on starting a Kids Café at the Community Centers. He stated that they accept private donations as well as government donations.

Judge Bruni advised Mr. Noriega and Mr. Castillo to expect a donation on behalf of Bruni Energy.

Comr. Sciaraffa stated that they have done a lot for the families in Precinct 1 and are looking to start an after school food program. He stated that they have served over 1700 families in Precinct 1 alone.

Cmr. Gutierrez stated that the Laredo Food Bank is a very important resource and it is very evident that the work done in the colonias is of great help. She expressed concerns about possible food shortages since a lot of help is being rerouted to disaster areas.

Mr. Castillo stated that donations have tapered down since the start of the war in Iraq and more recently due to Hurricane Katrina.

Item No. 7 Public Comments

Mr. Jeffrey Dibs, Made America Services, was present to address Item No. 31. He stated that they have over 20 commissary contracts in Texas. He thanked the Sheriff for inviting them to submit a proposal. He stated that the proposal they submitted would increase sales by 21% and would result in over \$60,000 in additional revenues.

Item No. 8 Report by the County Judge on his exercise of emergency discretion pursuant to State Law in the hiring of temporary guards/jailers by the Webb County Sheriff with discussion and possible action to ratify the County Judge's emergency authorization for the same, and any other matters incident thereto.

Judge Bruni stated that he, along with Cmr. Garza, Mr. Leo Flores and Mr. Raul Casso met with Sheriff Flores and his staff regarding this issue. He stated that they received an order by the Commission on Jail Standards giving the county 36 hours to bring the guard/jailer to inmate ration to compliance. He stated that under state law, he has the right to declare an emergency. He stated that the monies for this item would come from the Sheriff's Part Time line item. Mr. Rick Flores, County Sheriff, stated that they house federal inmates to subsidize the cost of housing inmates. He stated that the needs of the people outweigh the needs of criminals. He stated that he is trying to find a way to expedite the processing of city detainees to be able to move them out of the jail faster. He stated that he committed to housing 60-65 federal inmates on a two year old budget. He stated that he has been doing his part to help the county but has not gotten any help in return. He stated that he requested 40 additional slots but wasn't able to get even 5. He stated that he is trying to work with the county by hiring part time employees instead of requesting additional slots. He stated that the criminal justice system is not working and the system is stalling. He stated that a lot of time is lost between the arrest and prosecution. Cmr. Gutierrez stated that everyone needed to get involved in this process. She stated that if there are 155 guards/jailers as shown in the budget, the county should be in compliance. Sheriff Flores stated that in the previous administration, there were two deputies per shift out patrolling. He now has 6-8 per shift patrolling. He stated that those deputies patrolling must be full-time. Judge Bruni stated that the item was merely to ratify the actions that he took to declare an emergency.

Judge Bruni motioned to approve item as submitted.

Comr. Sciaraffa stated that the court has helped him as much as possible. He inquired as to the number of part-time jailers being requested. Sheriff Flores stated that he was requesting thirty-two (32) part-time jailers at a cost of \$440,000. Comr. Gutierrez inquired about where the funding would come from and whether there were enough funds to cover to the end of the fiscal year. Mr. Leo Flores, County Auditor, stated that he was not aware of the funding source but that a funding source would need to be identified for the upcoming fiscal year. Comr. Gutierrez stated that if Judge Bruni had the authority to declare an emergency why was the court's approval needed? Judge Bruni stated that it was merely a formality. Comr. Garza inquired whether the additional 32 guards would be enough to cover the 197 federal inmates shown in the budget. Sheriff Flores stated that this would allow a cushion of about 3-4 guards per shift.

Judge Bruni restated his motion and stated that it would be to the end of the fiscal year. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to enter into a three (3) year, three-party agreement between Webb County, Webb County Sheriff Rick Flores, and U.S. Department of Justice to authorize participation in the Federal Equitable Sharing Program (shared assets to be used for law enforcement purposes; establish and maintain separate accounts for Federal Equitable Sharing Program Funds and agree to conduct annual audit of any funds or property received under the program and authorizing the County Judge to sign all relevant documents.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and Possible action on the setting of the fees for services of the Sheriff and Constables pursuant to Section 118.131 of the Local Government code to be effective January 1, 2006, and authorizing the county Judge to sign all relevant documents

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to award or reject bid # 2005-75 "Jail Commissary Services" (Pending bid opening on September 6, 2005.)

Mr. Rick Flores, County Sheriff, stated that he recommended that the bid be awarded to Three Amigos.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion with discussion.

Cmr. Gutierrez inquired as to the number of proposals received. Mr. Eloy Ramirez, Purchasing Agent, stated that two bids were received. He stated that one bid was received from Three Amigos that would give Webb County 5% of the gross sales. He stated that Made America Services submitted two proposals. Proposal A would provide a \$10,000 bonus plus 22.5% of gross sales. Proposal B provided no bonus but 26.5% of gross sales. He stated that if the recommendation were to be based on what was submitted in the proposal, he would recommend Made America Services. He stated that Proposal A is more than four times and Proposal B is more than five times what is being proposed by Three Amigos. He stated that Made America already has over twenty commissary contracts with other government agencies in Texas. Cmr. Gutierrez stated that she was surprised that no back up was provided since the analysis done by the Purchasing Agent is always included. Cmr. Garza stated that he has not had a chance to review the proposals and would like an opportunity to review them.

Motion failed 2-3 with Cmr. Gutierrez, Cmr. Garza and Cmr. Cortez-Brunner voting against.

Cmr. Garza motioned to table the item until the next meeting. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Sciaraffa voting against.

Item No. 32 Discussion and possible action to approve the following line item transfers:

From:	001-2060-6014	Equipment Rental	\$300.00
	001-2001-6224	Minor Tools & Apparatus	\$10.00
	001-2060-6202	Uniforms	\$5,287.00
	001-2060-6224	Minor Tools & Apparatus	\$65.00
	001-2060-6006	Advertising	\$138.00
To:	001-2060-5605	Special Travel	\$800.00
	001-2001-6401	Repairs & Maint. Buildings	\$5,000.00

Item No. 53 Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES230 Digital Copier for the Webb County Sheriff's Department for a twelve (12) month period (September 12, 2005 through September 11, 2006) with a monthly base rate of TWENTY-FIVE DOLLARS (\$25.00) with copy overages invoiced at \$0.0110 per print copy and authorizing the County Judge to execute all relevant documents. [Requested by Sheriff's Department, Account No. 2001-6014 (Repairs and Maintenance)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54 Discussion and possible action to enter into a Reinstated and Amended Real Estate Contract with HOME-MART, INC., a Texas Corporation and EAST ROYAL LAND, L.C., a Limited Liability Company in the amount of SIX HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$675,000.00) for the purchase of fifteen acres, with an additional 3.5 acres (.693 acres included in access road r-o-w) donated to the County, and agreeing to pay one-half of the cost of a traffic study, one-half the cost of construction of an access street on the western border of the tract and one-half the cost of TX Dot required improvements to the SH 359 right-of-way at the intersection of the access street and SH 359 and authorizing the County Attorney or his designee to close on said property upon completion of all legal documents and authorizing the County Attorney or his designee to sign all closing documents on behalf of Webb County

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Nathan Bratton, Assistant County Attorney, stated that the contract submitted had two changes:

- 1) Compliance must be met if there are any changes in environmental laws
- 2) Must deliver sewer service to the SW corner of the property

Motion carried 5-0 by unanimous consent.

BREAK (3:16 PM to 3:34 PM)

Cmr. Gutierrez motioned to move up Item No. 76, No. 22, No. 23, No. 89 and No. 28. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 76 Discussion and possible action to award/reject the following bids:
- | | |
|------------------|--|
| Bid 2005-72 | Webb County School Land (Cuchillas and Lomas Pastures) |
| | Hunting and Grazing Lease |
| Bid 2005-73 & 74 | Rio Bravo Rehabilitation |

Mr. Eloy Ramirez, Purchasing Agent, stated that the following bids were received from 2005-72:

Mr. Simon Deutsch
Mr. Alberto Rubio
Mr. Apolonio Santos

Judge Bruni motioned to reward 2005-72 to Mr. Simon Deutsch. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 22 Discussion and possible action to adopt a Resolution of the Webb County Commissioners Court denouncing the acts of private individuals or private groups such as the "Minutemen Project" from attempting to enforce U.S. immigration law and any other matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 23 Reading of Proclamation issued by Governor Rick Perry designating the Month of September as "Destination Dignity Month."

Cmr. Gutierrez stated that they have worked hard with the Texas Council and have done outstanding work for MHMR.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 89 Discussion and possible action to approve the following line item transfers:

From:	6011	Training & Education	\$2,000.00
	6403	Repairs & Maint. Vehicles	\$1,100.00
To:	6205	Materials & Supplies	\$3,100.00
From:	6402	Repairs & Maint. Equipment	\$7,300.00
To:	6022	Professional Services	\$7,300.00
From:	5601	Administrative Travel	\$1,700.00
To:	6224	Minor Apparatus & Tools	\$1,700.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

The court was advised that no action had been taken on 2005-73 and 2005-74 under Item No. 76.

- Item No. 76 Discussion and possible action to award/reject the following bids:
- | | |
|------------------|--|
| Bid 2005-72 | Webb County School Land (Cuchillas and Lomas Pastures) |
| | Hunting and Grazing Lease |
| Bid 2005-73 & 74 | Rio Bravo Rehabilitation |

Mr. Eloy Ramirez, Purchasing Agent, stated that he recommended AAA Builders and V & R Builders for 2005-73 and 2005-74.

Cmr. Gutierrez motioned to accept the Purchasing Agent's recommendation. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and possible action to engage the services of Mr. Jim Allison, Allison, Bass, & Assoc., in connection with the dispute regarding attorneys fees on the delinquent tax collection contract with the firm of Cavazos, Morales, Tijerina & Montemayor, L.L.P. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Judge Bruni motioned to have County Auditor and County Attorney meet with the delinquent tax attorneys to try and find a middle ground and report to the court within two weeks. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 9 Discussion and possible action to provide what disaster relief may be afforded by Webb County for the survivors of Hurricane Katrina.

Judge Bruni stated that he received an e-mail which stated some ways to help disaster victims. He requested that Mr. Raul Casso, Chief of Staff, meet with the department heads to see how Webb County can help the survivors.

Cmr. Gutierrez motioned to have Mr. Raul Casso, Chief of Staff, meet with the department heads to see how Webb County can help the survivors. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Presentation by All American Ambulance Service LLC., on possible helicopter E.M.S services for the citizens of Webb County.

Judge Bruni stated that he has met with the representative of All American Ambulance Services. He stated that they work with all local hospitals and would not impact the county's contract with the city but would serve to enhance it. He stated that the survival rate for trauma victims who receive assistance within one hour is 85%.

Mr. Scott Evans, All American Ambulance Services, stated that they do many out of city transports. He stated that the main concern that Webb County has is the distance to outlying areas and unserviceable county roads.

Judge Bruni stated that this was not an action item but requested that this item be brought back during the budget for possible funding.

- Item No. 11 Report by County Treasurer on receipt of monthly royalty checks from oil companies for oil/gas recovery on Webb County school lands; report to include manner of receipt, recording, and depositing of the same, from the inception of the wells to the present.

Ms. Delia Perales, County Treasurer, was present to address the court. She stated that the only detailed information regarding this item is from 1996 thru the present. She stated that all the information prior to 1996 was lost in the transition between software. Judge Bruni stated that it was irresponsible for whoever was responsible for the collection of these monies to not go after them. Cmr. Gutierrez stated that the court needed to get the attorneys that it hired to report to the court and give an update on what they have done to collect these monies.

- Item No. 13 Discussion and possible action to ratify the appointment of two members to the Border Region MHMR, and any other matters incident thereto.

Judge Bruni motioned to appoint Mr. Homero Ramirez, County Attorney, and Cmr. Sciaraffa. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to appoint two members to the South Texas Development Council.

Judge Bruni motioned to appoint Cmr. Sciaraffa and Cmr. Cortez-Brunner. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Status report on right-of-way acquisitions for Colonias on Highway 359 and Mines Road and the inter-local agreement between City of Laredo and Webb County regarding the same

Mr. Tomas Rodriguez, County Engineer, was present to address the court. He stated that the department has obtained an average of 92% of necessary ROWs. He stated that some additional road dedications will be brought before the court for acceptance at the next meeting. He stated that they are coordinating with the City of Laredo on this project and that Tanquesitos I has been advertised for bids. Cmr. Gutierrez stated that they have been working to move project forward and is now in the city's hands. She stated that she has spoken with the Water Development Board, Office of Rural Community Affairs (ORCA), Mr. Juan Vargas, Economic Development Director, Mr. Pablo Martinez and Mr. Rodriguez on this issue. She stated that Tanquesitos I has been approved by the Water Development Board and is a very crucial Hwy 359 area. She stated that the project needed to get rolling since the county has already invested over \$800,000 plus over \$1 million in ROW acquisition.

- Item No. 16 Status report on City/County Colonia improvement project for Highway 359 and Mines Road (Keith Kendall, Project manager)

Mr. Keith Kendall was unable to be present at today's meeting.

- Item No. 17 Status report on the water well at the Carrizo Wilcox Aquifer with discussion and possible action to direct staff to take measures as necessary to further the project on a timely basis, and any other matters incident thereto

Mr. Tomas Rodriguez, County Engineer, stated that bids should be received on October 13 and will be brought to the court at the next meeting after that date.

- Item No. 18 Status report on the repairs to the roads on Webb County Colonias

Mr. Jose Luis Ramos, Road & Bridge Superintendent, stated that project is going according to plan and that caliche has been laid on Camino Colorado, Domingo and others. Judge Bruni congratulated Mr. Ramos for doing a good job and stated that the project is almost completed.

- Item No. 19 Status report on the construction of the new radio communications tower

Mr. Nathan Bratton, Assistant County Attorney, stated that the second set of proposals has been received. He stated that the project has been held back due to a pending federal report on the best sites for either an 800 MHz or VHF tower. He stated that the report should be received soon.

- Item No. 20 Discussion and possible action to approve the following line item transfer:

From:	5601	Administrative Travel	\$2,000.00
To:	6205	Materials and Supplies	\$1,000.00
	8801	Capital Outlay	\$1,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action on a request by Mr. Pedro Vargas to forgive the Housing Rehabilitation lien on his home in accordance with Webb County's adopted Housing Rehabilitation Guidelines section III, Type of Assistance, due to the death of his son and resulting in personal and financial hardship. The state funding agency, the Office of Rural Community Affairs (ORCA), had reviewed Mr. Vargas' request and consented to the forgiveness of the lien.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with discussion.

Mrs. Gaby Villarreal, Economic Development, stated that Mr. Vargas lost his son in an accident and the lien needed to be released in order for him to refinance his home to pay off loans that he took out to cover his son's funeral expenses.

Motion carried 5-0 by unanimous consent.

Item No. 24 Discussion and possible action to provide \$1500 from fund 660-0101-8801 for the Self Help Center for internet service.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Cmr. Gutierrez stated that the monies would be from Commissioners Court Capital Outlay 2003 after all purchases were made.

Motion carried 5-0 by unanimous consent.

Item No. 25 Discussion and possible action to unencumbered \$33,012 of Fund 695, Park Development, Series 2002 (Mines Road Swimming Pool) and \$66,988 of Fund 658, County Park Development, Series 2003 (Mines Road Swimming Pool).

Cmr. Cortez-Brunner stated that she would like to appropriate these monies for the project shown in Item No. 26.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26 Discussion and possible action to appropriate \$275,000 for the Father McNaboe Splash Park from Fund 695, Park Development, Series 2002 and Fund 658, County Park Development, Series 2003.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez-Brunner stated that this would be built at the existing Father McNaboe park and will be slightly larger than the two current splash parks.

Item No. 27 Discussion and possible action to interview and select a director for CAA from the previous applicants. [Authority for executive session -

Texas Open Meetings Act, Section 551.074] The Commissioners Court may meet in executive session to consult with the County Attorney.]

Cmr. Cortez-Brunner motioned to move into Executive Session. Judge Bruni seconded the motion.

Cmr. Gutierrez stated that she was concerned about the time constraints and suggested that the interviews be moved to the end of the meeting or to recess meeting and have the interviews take place tomorrow. Cmr. Cortez-Brunner stated that the applicants have taken time off work and that this was the third time that they have come before the court.

Motion failed 2-3 with Cmr. Sciaraffa, Cmr. Gutierrez and Cmr. Garza voting against.

Cmr. Garza stated that adequate time was needed in order to provide a good interview session.

Cmr. Gutierrez motioned to move the interviews to the end of the meeting and defer them to tomorrow at 1:00 PM. Cmr. Garza seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Cortez-Brunner voting against.

Item No. 33 Discussion and Possible Action to modify slot # 1847 (Driver Custodian), \$8.42/hr. from part-time to Regular Full - Time with benefits, effective August 23, 2005. Funding comes from Community Services Block Grant (CSBG). (No impact on General Fund).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34 Discussion and possible action to modify slot #1848 (Driver Custodian) @ \$8.25 hour, Part-Time no benefits, for the Meals on Wheels Program. Funding comes from Community Services Block Grant (CSBG). No impact on General Fund.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and Possible Action of approval to grant County Auditor, authority to expend funds from the Meals On Wheels Program (MOW) and the Elderly Nutrition Program (EN), effective October 1, 2005, pending the receipt of all required documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action to approve the following line item transfer:

From:	001-2503-6014	Equipment Rental	\$1,080.00
To:	001-2503-6402	Fuel & Lubricants	\$1,080.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Sciaraffa stated that the correct line item for Fuel & Lubricants is 6204.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action to approve the following line item transfer:

FROM:	001-2501-5601	Administrative Travel	\$358.67
	001-2501-6001	Office Supplies	\$ 23.88
	001-2501-6004	Telephone	\$ 55.06
	001-2501-6014	Equipment Rental	\$ 80.10
	001-2501-6202	Uniforms	\$ 22.55
	001-2501-6403	Vehicle Maintenance	\$ 87.63
TO:	001-2501-6204	Fuel	\$628.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38 Discussion and possible action to approve the following line item transfer:

FROM:	001-2502-6402	Repairs & Maint. Equipment	\$300.00
TO:	001-2502-6204	Fuels & Lubricants	\$300.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and possible action to enter into a one (1) year (September 1, 2005 through August 31, 2006) Interlocal agreement with United Independent School District (UISD) for two (2) Justices of the Peace Juvenile Court Coordinators in the amounts of FOURTEEN THOUSAND SEVEN HUNDRED FORTY-SEVEN DOLLARS AND FIFTY CENTS (\$14,747.50) for the coordinator assigned to J.P. Court Precinct 2,

Place 2, and FIFTEEN THOUSAND NINE HUNDRED TWENTY EIGHT DOLLARS AND FIFTY CENTS (\$15,928.50) for the coordinator assigned to J.P. Court Precinct 4, and authorizing the County Judge to sign all relevant documents. [Requested by Justices of the Peace Pct. 2, Pl. 2, and Justice of the Peace Precinct 4 Account No. #6022 (Professional Services)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action authorizing the submission of Part II of a Grant Re-Application to the Texas Department of Transportation, for "Public Transportation Division (PTN)" state and federal funds for Grants 5303, 5307, 5309, 5310, 5311, and 3037 for the El Aguila Rural Transit and any matters incident thereto. [Requested by the Community Action Agency Rural Transportation Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to enter into a one (1) year (September 1, 2005 through August 31, 2006) Contract for Grant 5311 RPT 0602 (22) 51622F7038 with the State of Texas, Texas Department of Transportation, for the "El Aguila" Rural Transportation Department, and authorizing the County Judge to execute all relevant documents. The State is awarding Webb County THREE HUNDRED THIRTY-THREE THOUSAND EIGHT HUNDRED SIXTEEN DOLLARS (\$333,816.00) under the Grant agreement. [Requested by the CAA/ El Aguila Rural Transportation Department, Account No. 980-4204 (Administration) and 980-4205 (Operations)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and possible action to enter into a three (3) year, three-party agreement between Webb County, Constable Precinct 1 Rodolfo Rodriguez, and U.S. Department of Justice to authorize participation in the Federal Equitable Sharing Program (shared assets to be used for law enforcement purposes; establish and maintain separate accounts

for Federal Equitable Sharing Program Funds and agree to conduct annual audit of any funds or property received under the program) and authorizing the County Judge to sign all relevant documents. [Requested by Constable Precinct 1 Rodolfo Rodriguez]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action to enter into a Medical and Dental Health Services Agreement with Gateway Community Health Center for Children enrolled in the Webb County Head Start Program for a period of one year (October 1, 2005—September 30, 2007) at reduced fees as set forth in the agreements, authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Nathan Bratton, Assistant County Attorney, stated that this agreement was for two years.

- Item No. 44 Discussion and possible action to enter into a two (2) year (October 1, 2005 to September 30, 2007) Data Processing Services and Licensing Agreement with Indigent Healthcare Solutions, Ltd. which will assist Indigent Services Program in processing indigent medical/health bills. The monthly cost of the service is TWO THOUSAND SIX HUNDRED AND TWO DOLLARS (\$2,602.00) for a total cost of SIXTY-TWO THOUSAND FOUR HUNDRED AND FORTY-EIGHT DOLLARS (\$62,448.00) over the term of the agreement and seeking a discretionary exemption to the competitive bidding statute (Local Gov't Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to sign all relevant documents. [Requested by Indigent Services Program, Account No. 001-4101-6022 (Professional Services)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to approve the following line item transfers:

From:

001-4102-6001	Training & Education	\$105.00
001-4102-6022-2	Prof. & Legal Svcs.	\$2,496.76
001-4102-6218	Medical & Dental	\$231.00
001-4102-7013	Awareness	\$1,200.00

To:

001-4102-6041	Clothing Allowance	\$4,032.76
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Mr. Nathan Bratton, Assistant County Attorney, requested that Item No. 45 be withdrawn.

Cmr. Gutierrez motioned to table Item No. 45. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action to enter into a three (3) year (September 12, 2005 to September 11, 2008) "Long Distance Voice Services ICB Agreement" with SBC Global Services, Inc. for long distance telephone services provided to the County and authorizing the County Judge to sign all relevant documents. [Requested by Purchasing Department, Account No. 001-109-6004 (Telephone)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 47 Discussion and possible action to enter into a thirty-six months (December 1, 2005 through November 30, 2008) equipment lease agreement with OCS (Toshiba Business Solutions) for the lease of two (2) Lanier LD055 Copiers and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to accept 3 rights of way, out of Pueblo Nuevo Subdivision, one (1) right-of-way out of Ranchitos IV Los Minerales Annex, 2 rights-of-way out of Ranchos Penitas West Subdivision, one (1) right-of-way out of Los Centenarios Subdivision, one (1) right-of-way out of Los Fresnos Subdivision, two rights-of-way out of Los Mesquites Subdivision and two rights-of-way out of Los

Arcos Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to enter into an Interlocal Agreement with the City of Laredo to construct one shade structure at the Farias Splash Park in an amount not to exceed \$30,000.00, one shade structure at the Lafayette Splash Park in an amount not to exceed \$30,000.00 and to contribute \$275,000.00 toward the construction costs of a splash park at the Father McNaboe Park and authorizing the County Judge to sign all relevant documents.

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Discussion and possible action to enter into an agreement with Mr. William McKendrick to grant Mr. McKendrick credit toward future water and sewer capital improvement fees, based on his cost of boring one 12 inch water line and one 12 inch sewer line under State Highway 83, in exchange for conveyance to Webb County of an 11,167 square foot tract.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that everything had been taken care of and the owners of both properties were in agreement.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible action to enter into an architectural services contract with Sepulveda Associates Architects, Inc., for the design of an approximate 2,500 sq. ft. building (Webb County Rio Bravo Recreational Center) at a cost of ten percent (10%) of a construction cost and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action to accept a 11,167 square foot site easement from Mr. William McKendrick for the installation, construction, operation, maintenance, replacement, repair, upgrade, and removal of raw water intake structures, raw water lines and a raw water pump station and related facilities.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55 Discussion and possible action to approve a Line Item Transfer as follows:

From:	009-1120-6022	Professional Services	\$3,600.00
	009-1120-6011	Training & Education	\$ 470.00
To:	009-1120-8404	Computer equipment	\$4,070.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Sciaraffa not present for voting.

- Item No. 56 Discussion and possible action to approve a Line Item Transfer as follows:

From:	005-1120-6022	Professional Services	\$4,000.00
To:	005-1120-6205	Materials & Supplies	\$4,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Sciaraffa not present for voting.

- Item No. 57 Discussion and possible action to approve the Federal Equitable Sharing Agreement between the High Intensity Drug trafficking Area Task Force and the Federal Government from October 1, 2005 thru September 30, 2006 and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 58 Discussion and possible action of approval to grant County Auditor, authorization to expend funds from the Women Legal Advocate Grant and the Prosecutor Grant effective September 1, 2005, pending the acceptance of the Grant from the Webb County authorized officials.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 59 Discussion and possible action to authorize the county auditor to continue paying the salaries, supplies, and operating expenses of the Laredo Multi- Agency Narcotics Task Force, which is under the Edward Byrne Memorial Justice Assistance Grant Program (JAG) from the Governor's Criminal Justice Division which ends on September 30, 2005. Funding from the grant should be received by the middle of November 2005.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 60 Discussion and Possible Action Authorizing the County Engineer and Purchasing Agent to advertise for bids the construction of five offices inside the northwest portion of the TEX MEX Building. Two offices will be for the CAA personnel and the other three will be for other Departments as needed and approved by Commissioners Court.

Judge Bruni stated that he did not see the need for additional construction at the Tex Mex building if it may be demolished. Cmr. Gutierrez stated that the cost needed to be justified as well as look into the possibility of using other office space or renting office space. She stated that the building was purchased with the intent of building a multi-story parking garage.

Judge Bruni motioned to table Item No. 60. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 61 Discussion and possible action to fill slot # 1699, 2050, and 2192, part-time Substitute Teacher (15 hrs/week for 10 months) with an annual salary of \$4,658, effective September 13, 2005 through May 19, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 62 Discussion and possible action to fill slot # 1642 and 1808, full-time AA Teacher Assistant (40 hrs/week for 10 months) with an annual salary of \$16,040 effective September 13, 2005 through May 28, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63 Discussion and possible action to fill slot #1891, (Receptionist) from within the County up to \$ 9.47 per hour effective Sept. 12, 2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 64 Discussion and possible action to approve a Line Item Transfer as follows:

From:	001-4100-6714-2	Prescription Drugs	\$ 40,000.00
	001-4100-6714-4	Hospital Out-patient	180,000.00
To:	001-4100-6714-3	Hospital Inpatient Services	\$ 180,000.00
	001-4100-6714-1	Physician Services	40,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Frank X. Salinas, IHC Director, stated that this was needed in order to balance off the accounts. He stated that there would be enough monies after the transfer to cover the end of the year.

Motion carried 5-0 by unanimous consent.

- Item No. 65 Discussion and possible action to approve a Line Item Transfer as follows:

From:	001-4101-6022	Professional Services	\$800.00
To:	001-4101-6205	Materials & Supplies	\$800.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 66 Discussion and possible action to approve the following line item transfer:

From:	001-1042-6005	Postage	\$982.00
	001-1042-6014	Equipment Rental	\$90.00
	001-1042-5601	Administrative Travel	\$100.00

	001-1042-6402	Repairs & Maintenance	\$101.00
To:	001-1042-6022	Professional Services	\$1,273.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 67 Discussion and possible action to approve the following line item transfer in the amount of \$500.00 from account #6005 Postage to account #6205 Materials and Supplies.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 68 Discussion and Possible action to approve the following line item transfer:

From:	Fuel & Lube	001-6103-6204	\$300.00
To:	Building Maint.	001-6103-6401	\$300.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 69 Discussion and Possible action to approve the following line item transfer:

From:	001-0500-6402	Equipment Maintenance	\$500.00
To:	001-0500-6001	Office Supplies	\$500.00

Item No. 70 Discussion and Possible action to approve the following line item transfer:

From:	001-0500-6402	Equipment Maintenance	\$10,400.00
To:	001-0500-6010	Books & Subs for Westlaw Licensing	\$10,400.00

Cmr. Gutierrez motioned to approve Item No. 69 and No. 70 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 71 Discussion and possible action to purchase a player/recorder/ automated broadcast server for airing of meetings same day at 6:00 pm from Texas Media Systems in the amount of \$10,045.00 [From Acct #001-0500-6402] (Co-Sponsored by Judge Louis H. Bruni)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Paul De La Peña, M.I.S. Director, stated that he would meet with Public Access regarding the time slots. He stated that this would allow the court the opportunity to air the Commissioners Court meetings the same day. Judge Bruni congratulated Mr. De La Peña for doing a great job.

Motion carried 5-0 by unanimous consent.

- Item No. 72 Discussion and possible action to accept a request from Francisco Guerra, Jr. to name the most westerly road of the Laredo Ranchettes Subdivision as Francisco Guerra Jr Blvd.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 73 Discussion and possible action to purchase two (2) vehicles from Philpott Motor Company in the amount of \$67,406.50 through the Houston Galveston Area Council Contract number VE10-03 for the Webb County Morgue operations.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Cmr. Cortez-Brunner inquired as to who would be manning these vehicles. Mr. Tom Sanchez, Sheriff's Department, stated that they have the personnel to use these vehicles and a training officer for any necessary training. Mr. Eloy Ramirez, Purchasing Agent, stated that in addition to these vehicles, a refrigerated unit would need to be purchased to be able to transport bodies.

Motion carried 5-0 by unanimous consent.

- Item No. 74 Discussion and possible action to award/reject the following annual contracts:

2006-01 Motor Fuels
2006-02 Lubricants
2006-06 Vehicle Batteries
2006-10 Milk, Orange Juice and Orange Drink
2006-11 Coffee
2006-12 Sliced Bread
2006-13 Spices and Related Items
2006-14 Janitorial Supplies
2006-15 Oxygen, Acetylene and Welding Supplies
2006-16 Electrical Supplies
2006-19 Pharmaceutical Supplies
2006-21 Tires and Tubes

2006-24 Auto and Truck Parts w/serv out of shop
 2006-40 Automatic Transmission
 2006-41 Engine Repair and Overhauls
 2006-42 Electrical Repair
 2006-43 Machine Shop Repair
 2006-44 Cylinder Repair and Associated Parts

Mr. Eloy Ramirez, Purchasing Agent, made the following recommendations to the court:

2006-01	Arguindegui Oil Co.	
2006-02	Leyendecker Oil, Inc.	(1 st)
	Arguindegui Oil Co.	(2 nd)
2006-06	Laurel Battery	(1 st)
	Continental Battery Co.	(2 nd)
2006-10	Southern Food Group dba Hygeia Dairy	
2006-11	Sara Lee Coffee & Tea	
2006-12	Flowers Baking Co.	
2006-13	La India Packing Co. Inc.	
2006-14	Star Paper & Janitorial	(1 st)
	Philip Distribution Inc.	(2 nd)
	Cavazos Candy, Produce & Groceries Wholesale	(3 rd)
2006-15	OAC Welding Supply	(1 st)
	Airgas Southwest	(2 nd)
2006-16	C.E.D.	
2006-19	People's Preferred Pharmacy	
2006-21	Tire Center, LLC	(1 st)
	J.R. Martinez Auto South	(2 nd)
2006-24	J.R. Martinez Auto South	(1 st)
	Andy's Air & Supply	(2 nd)
2006-40	J.R. Martinez Auto South	(1 st)
	A-1 Auto Stop	(2 nd)
	Rankin Automatic Trans.	(3 rd)
2006-41	J.R. Martinez Auto South	(1 st)
	Rankin Automatic Trans.	(2 nd)
	A-1 Auto Stop	(3 rd)
2006-42	J.R. Martinez Auto South	(1 st)
	Rankin Automatic Trans.	(2 nd)
2006-43	J.R. Martinez Auto South	(1 st)
	Gutierrez Machine Shop	(2 nd)
2006-44	Gutierrez Machine Shop	

Cmr. Gutierrez motioned to accept the Purchasing Agent's recommendations. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 75	Discussion and possible action to ratify the following purchase orders for the Head Start Program:		
	P.O. 05-0133886	Chavarria's Plumbing	\$8,645.00
	P.O. 05-0133887	Maverick Fence	\$5,400.00

P.O. 05-0133888	Pena Electric	\$5,998.00
P.O. 05-0133892	Torres Welding	\$6,846.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 77 Discussion and possible action to purchase seventy-five (75) Veteran Memorial Markers for the City Cemetery from Standard Granite Co. in the amount of \$9,075.00 for the Building Maintenance Department.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 78 Discussion and possible action to award/reject the following annual contracts:

- 2006-03 Flexible Base
- 2006-04 Emulsions
- 2006-05 Auto Parts
- 2006-07 Heavy Equipment Parts
- 2006-08 Wheel Alignment and Balancing Service
- 2006-09 Replace Mufflers and Related Items
- 2006-17 Maintenance and Service of Fire Extinguishers
- 2006-18 Pest Control Service
- 2006-20 Car Wash Services
- 2006-25 Automotive Glass Replacement
- 2006-27 Liquid Soil Stabilizer
- 2006-30 Hot Mix Asphalt
- 2006-56 Weatherization Materials and Rehab Materials

Mr. Eloy Ramirez, Purchasing Agent, made the following recommendations:

2006-03	Raymond Botello	
2006-04	Leyendecker Materials	
2006-05	Auto Parts	
	Item A - Seal beams	
	Full Service Auto Parts	(1 st)
	O'Reilly Auto Parts	(2 nd)
	Ldo. Wholesale Auto Parts	(3 rd)
	J.R. Martinez Auto South	(4 th)
	Gonzalez Auto Parts	(5 th)
	Item B – Battery Accessories	
	J.R. Martinez Auto South	(1 st)
	Ldo. Wholesale Auto Parts	(2 nd)
	Full Service Auto Parts	(3 rd)
	Gonzalez Auto Parts	(4 th)
	O'Reilly Auto Parts	(5 th)
	Item C – Shop Supplies	

	O'Reilly Auto Parts	(1 st)
	Gonzalez Auto Parts	(2 nd)
	Full Service Auto Parts	(3 rd)
	J.R. Martinez Auto South	(4 th)
	Ldo. Wholesale Auto Parts	(5 th)
Item D – Fan Belts		
	Gonzalez Auto Parts	(1 st)
	J.R. Martinez Auto South	(2 nd)
	Full Service Auto Parts	(3 rd)
	O'Reilly Auto Parts	(4 th)
Item E – Air Filters – Light Cars/Trucks		
	O'Reilly Auto Parts	(1 st)
	Full Service Auto Parts	(2 nd)
	J.R. Martinez Auto South	(3 rd)
	Gonzalez Auto Parts	(4 th)
Item F – Oil Filters – Light Cars/Trucks		
	O'Reilly Auto Parts	(1 st)
	J.R. Martinez Auto South	(2 nd)
	Full Service Auto Parts	(3 rd)
	Gonzalez Auto Parts	(4 th)
Item G – Fuel Filters – Light vehicles		
	O'Reilly Auto Parts	(1 st)
	J.R. Martinez Auto South	(2 nd)
	Full Service Auto Parts	(3 rd)
	Gonzalez Auto Parts	(4 th)
Heavy Equipment		
	O'Reilly Auto Parts	(1 st)
	J.R. Martinez Auto South	(2 nd)
	Full Service Auto Parts	(3 rd)
	Gonzalez Auto Parts	(4 th)
Item H – Spark Plugs		
	Full Service Auto Parts	(1 st)
	O'Reilly Auto Parts	(2 nd)
	Gonzalez Auto Parts	(3 rd)
	J.R. Martinez Auto South	(4 th)
Item I – Dist. Cap		
	Full Service Auto Parts	(1 st)
	O'Reilly Auto Parts	(2 nd)
	J.R. Martinez Auto South	(3 rd)
	Gonzalez Auto Parts	(4 th)
Item J – Rotor Cap		
	O'Reilly Auto Parts	(1 st)
	Full Service Auto Parts	(2 nd)
	J.R. Martinez Auto South	(3 rd)
Item K – Wire Set		
	O'Reilly Auto Parts	(1 st)
	Full Service Auto Parts	(2 nd)
	J.R. Martinez Auto South	(3 rd)
	Gonzalez Auto Parts	(4 th)
Item L – Non-Captive Auto & Truck Parts Accessories		
	O'Reilly Auto Parts	(1 st)
	J.R. Martinez Auto South	(2 nd)
	Gonzalez Auto Parts	(3 rd)
	Ldo. Wholesale Auto Parts	(4 th)
	Full Service Auto Parts	(5 th)

2006-07	RDO Equipment	(Primary)
	John S. Jacaman	(Secondary)
2006-08	J.R. Martinez Auto South	
2006-09	Laredo Muffler Shop	(Primary)
	Pronto Muffler Shop	(Secondary)
2006-17	Border Fire and Safety	(Primary)
	All State Fire Extinguishers	(Secondary)
2006-18	Asash Pest Control	
2006-20	Magic Car Wash	(Primary)
	Royal Treat Car Wash	(Secondary)
2006-25	Gateway Glass & Mirror	
2006-27	J & B Industries	
2006-30	Leyendecker Materials	
2006-56	McCoy's Building Supply	(Primary)
	Dr. Ike's Home Centers	(Secondary)

Cmr. Gutierrez motioned to accept the Purchasing Agent's recommendations. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 79 Discussion and possible action to approve the Request for Qualifications for the Director of the Public Defenders Office and to authorize the solicitation of the Request for Qualifications.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 80 Discussion and Possible action to approve the following line item transfer:

From:	001-6100-6403	Repairs & Maint. of Vehicles	\$350.00
To:	001-6100-5602	Local Mileage	\$350.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 81 Discussion and possible action to approve the following line item transfer:

From:	816-0105-9203	Claims Paid Prescription	\$57,469.00
To:	816-0105-6038	Administration Fees	\$57,469.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 82 Discussion and possible action to renew and approve the FY 2005-2006 Texas Association of Counties Health and Employee Benefit Pool administration and stop loss service charges for the same dental and health plan benefits as last year (Choice 700, Rx 7/25/40 and Dental Plan) with Blue Cross/Blue Shield administering claims at the following rates:

\$40.17 per month per covered individual for administration charges
\$22.50 per month per covered individual for \$150,000 Stop Loss Coverage
\$3.16 per month per covered individual for 125% Aggregate (health and Rx)
re-insurance \$3.65 dental administration per month per covered individual.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 83 Action to determine if Webb County wishes to exercise the right to be exempt from sections of the Health Insurance Portability and Accountability Act (HIPAA) to become effective October 1, 2005 and authorization for the County Judge to execute all relevant documents.

Cmr. Gutierrez stated that the county has always exercised its right to be exempt.

Cmr. Gutierrez motioned to exercise the county's right to be exempt. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 84 Discussion and possible action authorizing Risk Management Dept. to settle Webb County claim against Ben E. Keith for damages done to North East gate and brick column at the Law Enforcement center, accident which occurred on or about August 1, 2005. (Acct. 001-0105-9201 Claims Paid)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Ms. Cynthia Mares, Risk Manager, stated that the driver for Ben E. Keith was backing up to the building for a delivery when they rammed into the wall and northwest gate. She stated that the settlement amount would be for approximately \$5,169.00 which would be used to cover the repairs. She stated that Item No. 85 was a request to authorize repairs.

Motion carried 5-0 by unanimous consent.

- Item No. 85 Discussion and possible action to authorize the repairs of the North East gate and brick column of the Webb County Jail's loading dock for damages resulting from an accident which occurred on or about August 1, 2005. (Account No. 001-0105-9201 Claims Paid)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 86 Discussion and possible action to authorize the settlement of the property damage claim of Progressive County Mutual Insurance Company and Sandra V. Cantu resulting from a motor vehicle collision which occurred on or about June 21, 2005 with a County vehicle driven by a Head Start employee. (Account No. 001-0105-9201 Claims Paid)

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 87 Discussion and possible action to amend fund 010-7002 Road & Bridge and 001-0108 Motor Pool by allowing the transfers below:

From:	001-0108-6402	Maint & Equipment	\$ 4,500.00
	001-7002-6205	Materials/Supplies	\$10,000.00
	001-70026404	Maint of Bridges	\$10,000.00
To:	001-0108-6204	Fuel & Lube	\$ 4,500.00
	001-7002-6204	Fuel & Lube	\$10,000.00
	001-7002-6405	Road Maintenance	\$10,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 88 Discussion and possible action authorizing Dept. 7001, Road & Bridge to fill the following slots:

Slot 1524 Secretary DPS Secretary License & Weights

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 90 Discussion and possible action to make the following line item transfers:

From:	001-0300-5601	Administrative Travel	\$ 500.00
	001-0300-5602	Local Mileage	\$ 250.00
	001-0300-6010	Books & Subscriptions	\$ 100.00
	001-0300-6011	Training & Education	\$ 662.00
To:	001-0300-6205	Materials & Supplies	\$1,512.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 91 Discussion and possible action to amend Webb County Personnel Policies Manual to include a non-discrimination provision required by the Texas Department of Housing and Community Affairs in accordance with its Community Services Block Development Grant with the Webb County Community Action Agency. Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Nathan Bratton, Assistant County Attorney, advised the court that there was no need to go into Executive Session for this item. He stated that the court needed to approve the amendment as required by the TDHCA.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez-Brunner motioned to move into Executive Session. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (5:20 PM to 6:11 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Item No. 92 Discussion and possible action regarding Civil Action No. L-05-CV-191; Marisela Arrendondo, et al, Plaintiffs v. Rick Flores, Sheriff of Webb County, Texas, and Webb County, Texas; In the United States District Court for the Southern District of Texas, Laredo Division; including authorization to employ and pay an attorney to represent Sheriff Flores pursuant to Texas Local Government Code §157.901. Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551 .071 (Consultation with Attorney).

Mr. Nathan Bratton, Assistant County Attorney, stated that Mr. Rick Flores, County Sheriff, requested authorization to hire outside counsel to represent him.

Cmr. Gutierrez motioned to accept Mr. Bratton's recommendation. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 93 Discussion and possible action regarding Cause No. 2004-CVQ-000555-D2; Jose Gutierrez vs. County of Webb and County Commissioner Felix Velasquez as County Commissioner of Webb County; In the 111th Judicial District Court of Webb County, Texas [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, stated that the county had two options:

1. Follow the recommendation of the insurance company and attorneys and enter into a settlement agreement.
2. Follow through with the litigation process

Cmr. Garza stated that though he does not agree with the settlement, he feels that it may be the best option.

Cmr. Garza motioned to follow the recommendation of the insurance company and enter into a settlement agreement. Cmr. Sciaraffa seconded the motion.

Mr. Bratton stated that the settlement amount would be \$45,000. Judge Bruni stated that he was tired of at-will employees being fired for good cause who then sue the county in an attempt to get a settlement. He stated that this causes the county's premiums to go up. He stated that he cannot understand how a former employee who received a settlement of \$175,000 can be allowed to return to work for the county. Cmr. Gutierrez stated for the record that since the county settled with the employee, she felt that it showed that the county was wrong and the employee was right. Cmr. Cortez-Brunner inquired whether the settlement asked for any reinstatement. Mr. Bratton stated that no reinstatement was being requested and stated that if the court decided to pursue the matter, the county would be liable for any costs over \$45,000.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to recess until tomorrow at 1:00 PM. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

RECESS (6:18 PM)

Official Minutes for Webb County Commissioners Court Meeting

Tuesday, September 13, 2005 at 1:00 PM

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 9th of September 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by All

- Item No. 27 Discussion and possible action to interview and select a director for CAA from the previous applicants. [Authority for executive session - Texas Open Meetings Act, Section 551.074] The Commissioners Court may meet in executive session to consult with the County Attorney.]

Mr. Nathan Bratton, Assistant County Attorney, stated that the court could conduct interviews in Executive Session but cannot discuss qualifications of candidates in front of other applicants. He stated that applicants can be given the courtesy to request an interview in open session but all can be held in Executive Session at the court's discretion.

Comr. Garza motioned to have all interviews in Executive Session. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Bratton stated that the court needed to decide whether the Executive Session would be maintained on audio or certified agenda and appoint someone to take notes.

Cmr. Cortez-Brunner motioned to have Mr. Bratton present to take notes for the certified agenda. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez-Brunner motioned to have the Executive Session be recorded on audio as well. Motion died for lack of a second.

Judge Bruni motioned to set a limit of 20 minutes per applicant. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move into Executive Session. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (1:30 PM to 4:12 PM)

APPLICANT NAME	INTERVIEW TIME
1. Florencio Garcia	1:32 PM – 1:49 PM
2. Jose A. Guerra	1:54 PM – 2:10 PM
3. Roberto Martinez	2:10 PM – 2:32 PM
4. Juan L. "Larry" Sanchez	2:34 PM – 2:57 PM
5. Jose A. Valdez	2:57 PM – 3:23 PM

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Cmr. Cortez-Brunner motioned to appoint Mr. Jose A. Valdez. Judge Bruni seconded the motion for discussion.

Cmr. Cortez-Brunner stated that Mr. Valdez was the most experienced and had worked in that department previously. She stated that he can move the office forward and is the most qualified.

Motion failed 2-3 with Cmr. Sciaraffa, Cmr. Gutierrez and Cmr. Garza voting against.

Cmr. Gutierrez motioned to appoint Mr. Jose A. Guerra. Motion died for lack of a second.

Cmr. Garza motioned to appoint Mr. Juan L. "Larry" Sanchez. Motion died for lack of a second.

Cmr. Sciaraffa recommended that the court go out for RFQs again since the court was unable to come to a consensus. Cmr. Gutierrez stated that she was concerned about being unable to make a choice. She stated that if necessary, the court should go out for a broader scope of applicants. She stated that if the court goes out for RFQs, Mr. Martinez should remain as interim CAA Director.

Comr. Sciaraffa motioned to go out for RFQs with the shortest time frame required and have Mr. Martinez remain as interim CAA Director. Comr. Gutierrez seconded the motion.

Judge Bruni stated that all the applicants were excellent choices but that no consensus can be reached. He stated that the department demanded a lot of expertise and feels that the court is acting in its due diligence to make sure the person chosen is the best qualified for the position. Comr. Gutierrez stated that the court knows what it wants for this position. She stated that she would prefer that the court take longer and appoint the right person than appoint someone who is not properly qualified. Mr. Eloy Ramirez, Purchasing Agent, stated that the County Attorney recommended that the same notice be used and would be published for a minimum of twenty days prior to the deadline.

Motion carried 3-1 with Comr. Cortez-Brunner voting against and Judge Bruni abstaining.

Comr. Sciaraffa motioned to have the same qualifications and have the current applicants included. Comr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Comr. Garza motioned to include the Southwest region for publication. Comr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

Item No. 94 Adjournment

Comr. Garza motioned to adjourn the meeting. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.